



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/580,583

05/30/2000

Toni Kopra

017.38081X00

8331

22907 7590 02/26/2007
BANNER & WITCOFF, LTD.
1100 13th STREET, N.W.
SUITE 1200
WASHINGTON, DC 20005-4051

EXAMINER

RETTA, YEHDEGA

ART UNIT

PAPER NUMBER

3622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
----------------------------------------	-----------	---------------

3 MONTHS

02/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/580,583

Applicant(s)

KOPRA, TONI

Examiner

Yehdega Retta

Art Unit

3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19, 21-34, 36-41 and 45-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19, 21-34, 36-41 and 45-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is responsive to amendment filed December 8, 2006. Claims 19, 21-34, 36-41 and 45-51 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 21-24, 28, 29, 34-39, 41 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al. U.S. Patent No. 6,006,265 in view of Yang (US 6,459,906) and further in view of Bandera et al. U.S. Patent No. 6,332,127.

Regarding claims 19, 21, 22, 34 and 36, Rangan teaches displaying a link to a resource wherein the link is related to a product and a position of the link is a video displayed on a terminal and corresponds to an image of the product (see fig. 3a-3d, 4 and 5, col. 14 lines 16-67, col. 17 lines 49-58, col. 18 lines 34-58, col. 21 lines 40-60). Rangan teaches hyperlinks interpreted only when and if exercised by the user, is focused and targeted to the specific terminal exercising the hyperlink, i.e., it makes hyperlinking within streaming digital hypervideo specific to particular place of the user terminal and particular time of the hyperlink exercised and specific to and other factors (see col. 9 lines 32-60). Rangan teaches a receiver that is configured to receive digital broadcasting over the digital broadcasting network wherein the video is received via the digital broadcasting network (see col. 6 lines 5-17). Rangan failed to teach a

Art Unit: 3622

mobile terminal. Yang teaches mobile terminal receiving video received from digital broadcasting network (see col. 1 lines 3-27). Bandera teaches displaying a link to a resource with a mobile terminal; automatically employing the location of the mobile terminal using the mobile communication network in response to the selection of the link (see col. 7 lines 9-30, col. 4 lines 46-60) to determine content that is related to the linked resource and also to the location of the terminal; determining the location at periodic interval; searching a database for sellers information (see abstract, col. 2 lines 29-53, col. 5 lines 15-25 and col. 6 line 41 to col. 7 line 52). Bandera teaches providing an advertising object (banner ads of a related content) and the advertising objects including a text files, audio files, video files, image files, hyperlinks and the likes (see col. 2 lines 36-60). Rangan teaches streaming digital hypervideo including hyperlinks distributed upon a digital communications network (see abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement Bandera's video, with a link related to a product, on a mobile terminal as in Yang, since the availability of a variety of multimedia information, such as web pages and full-motion video including for broadcasting network is anticipated, as taught in Yang. It would also have been obvious to one of ordinary skill in the art at the time of the invention to automatically determine the location of the terminal as in Bandera for the intended purpose of providing information, such as coupons or advertising based on the location of the terminal, as taught in Bandera. One would be motivated to provide Rangan's coupons or advertisings (see col. 28 lines 9-32) based on location, as taught in Bandera.

Art Unit: 3622

Regarding claim 23, Bandera teaches determining the network address of the mobile terminal and mapping the network address to mobile identifier is inherent feature of Bandera's access to Internet (see col. 4 lines 36-45); The same motivation stated above applies.

Regarding claim 24, Bandera teaches determining which reseller in a database is geographically closest to the mobile terminal (see fig. 2&3 and col. 4 line 35 to col. 5 line 25). It would have been obvious to one of ordinary skill in the art at the time of the invention to search database of reseller in order to select advertising information or coupons about product that is physically near the user's present location, as disclosed in Bandera (see col. 7 lines 32-40).

Regarding claims 28 and 29, Rangan teaches displaying a link to a resource wherein the link is related to a product and a position of the link is a video displayed on a terminal and corresponds to an image of the product (see fig. 3a-3d, 4 and 5, col. 14 lines 16-67, col. 17 lines 49-58, col. 18 lines 34-58, col. 21 lines 40-60). Rangan teaches hyperlinks interpreted only when and if exercised by the user, is focused and targeted to the specific terminal exercising the hyperlink, i.e., it makes hyperlinking within streaming digital hypervideo specific to particular place of the user terminal and particular time of the hyperlink exercised and specific to and other factors (see col. 9 lines 32-60). Rangan teaches a receiver that is configured to receive digital broadcasting over the digital broadcasting network wherein the video is received via the digital broadcasting network (see col. 6 lines 5-17). Rangan failed to teach a mobile terminal. Yang teaches mobile terminal receiving video received from digital broadcasting network (see col. 1 lines 3-27). Bandera teaches transceiver configured to communicate over a network; a memory including logical instructions stored therein and a processor configured to enable action based on

Art Unit: 3622

executing the logical instruction for displaying a link to a resource; storing the location of the mobile terminal wherein the location of the mobile terminal is determined automatically using the mobile communication network in response to the selection of the link (see col. 7 lines 9-30, col. 4 lines 46-60 and communication the selected link and the location of the mobile terminal to an application server using the mobile communication network; receiving content related to the linked resource and the location and displaying the content (see fig. 2, abstract, col. 2 lines 29-53, col. 5 lines 15-25 and col. 6 line 41 to col. 7 line 52). Bandera teaches providing an advertising object (banner ads of a related content) and the advertising objects including a text files, audio files, video files, image files, hyperlinks and the likes (see col. 2 lines 36-60). Rangan teaches streaming digital hypervideo including hyperlinks distributed upon a digital communications network (see abstract). It would have been obvious to one of ordinary skill in the art at the time of the invention to implement Bandera's video, with a link related to a product, on a mobile terminal as in Yang, since the availability of a variety of multimedia information, such as web pages and full-motion video including for broadcasting network is anticipated, as taught in Yang. It would also have been obvious to one of ordinary skill in the art at the time of the invention to automatically determine the location of the terminal as in Bandera for the intended purpose of providing information, such as coupons or advertising based on the location of the terminal, as taught in Bandera. One would be motivated to provide Rangan's coupons or advertisings (see col. 28 lines 9-32) based on location, as taught in Bandera.

Regarding claims 37-39, Bandera teaches searching database for reseller information that is a match to the location of the terminal and advertisement and providing the information to the mobile terminal (see fig. 2&3 and col. 4 line 35 to col. 5 line 25). Base station subsystem and

Art Unit: 3622

mobile terminal connected via GSM network is inherent feature. It would have been obvious to one of ordinary skill in the art at the time of the invention to search database of reseller in order to select advertising information or coupons about product that is physically near the user's present location, as disclosed in Bandera (see col. 7 lines 32-40).

Claim 41 is rejected as stated above in claim 19.

Regarding claims 45-49 and 51, Rangan teaches selection of the link stops the delivery of the video while the related content is displayed (see fig. 4, 6-8).

Claims 25-27, 30-33 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangan et al. U.S. Patent No. 6,006,265 in view of Yang (US 6,459,906) further in view of Bandera et al. U.S. Patent No. 6,332,127 and further in view of Saha et al. U.S. Patent No. 6,198,935.

Regarding claims 25-27, 30-33 and 40 Bandera teaches the location of the mobile terminal being determining using different method, such GPS, or based on identification of the cellular base station or satellite beam (see col. 4 lines 46-60 and col. 6 line 42 to col. 7 line 30). Bandera does not explicitly teach measuring radio signals and determining the arrival time of a first detectable path and determining idle periods, it is taught by Saha (see abstract and col. 5 line 15 to col. 6 line 67 and col. 7 lines 5-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bandera's mobile terminal with Saha's determining of position based upon network characteristics. One would be motivated to include signal measurement for the purpose of computing an accurate position of a mobile station, as taught by Saha (see col. 7 lines 5-10). Bandera's Web access from the mobile terminal enables a bet from the mobile terminal.

Response to Arguments

Applicant's arguments filed December 8, 2006 have been fully considered but they are not persuasive. Applicant in his argument asserts that it is insufficient to simply find the recited steps being made in a number of distinct references and suggest it would have been obvious to perform all the steps together in one device that can not perform all the steps, this is because it would be impossible to perform all the steps on the device and at a minimum a person of skill in the art would have no expectation of success in performing all the steps with a device that can not perform all the steps.

Examiner would like to point out that applicant admits, see page 4, that the recent improvements in technology have allowed the widespread proliferation of higher speed Internet access and the high speed Internet connection can support video signals over the Internet so as to product picture and sound comparable to that of a standard television receiver. Applicant also admits that high speed data services to mobile terminals are supported by advanced Third Generation Universal Mobile Telecommunications system or Global System for Mobile Communication/General Packet Radio Service mobile networks. Applicant indicates that one aspect of the present invention takes advantage of these advancements by placing products as active hypertext links in images and streaming Internet video so that the viewer can click on the position of the product in the image or video link to information about the product. Rangan teaches this feature, i.e., to provide an active hypertext links in images so that viewer can click on the image or video link. Examiner relayed on Yang's reference to show that at the time of applicant's invention, mobile terminals were capable of receiving video via digital broadcasting network; this feature is admitted by applicant. Therefore, at the time of the invention it would

Art Unit: 3622

have been obvious to one of ordinary skill in the art at time of the invention to provide the features taught in Rangan in a mobile terminal since existing technology allows mobile terminals to function the same as the Rangan's devices, when it comes to this feature. Bandera was introduced to show that at the time of the invention it was well known to select information, to a user requesting a web page, based on the geographical location of the user of the mobile terminals. Thus the mobile terminals of Yang or Bandera are capable of receiving the video streaming of Rangan. As understood by the Examiner applicant's invention is related to taking advantage of existing device, not the device itself. Applicant's invention is to provide the features taught in Rangan in a mobile terminal that is capable of providing those features.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 3622

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


RETTA YEHDEGA
PRIMARY EXAMINER